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Message Text

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PAGE 01 BOMBAY 01824 242059Z
ACTION NEA-10

INFO OCT-01 ISO-00 EB-08 /019 W
----------040355 251209Z /44
R 241041Z JUL 78
FM AMCONSUL BOMBAY
TO USDOC WASHDC
INFO SECSTATE WASHDC 8450

UNCLAS BOMBAY 1824

E. O. 11652: N/A
TAGS: BDIS, BFOL, IN
SUBJ: TRADE COMPLAINT - B.A. MACHINERY CORP., NEW YORK
AGAINST INDIAN EXPRESS AND M.A. DESAI AND COMAPNY, BOTH
OF BOMBAY

REF: USDOC 12102

1. OUR INTERIM REPORT ON THE SUBJECT TRADE COMPALINT, BASED ON DISCUSSIONS WITH MR. P.M. RAJGOPALAN, A PRINTING CONSULTANT, AND MR. M.A. DESAI OF M.A. DESAI AND COMPANY, IS AS FOLLOWS:

2. DESAI CLAIMED THAT HE WAS ACTING AS A PURCHASE AGENT OF INDIAN EXPRESS ON FIVE PERCENT COMMISSION AND THAT HIS ROLE IN THE PROPOSED TRANSACTION WAS LIMITED TO LOCATING EQUIPMENT FOR THE BUYER. HE AND MR. RAJGOPALAN, AN INDEPENDENT INDUSTRY CONSULTANT, INSPECTED B.A. MACHINERY'S RECONDITIONED NEWSPAPER PRINTING EQUIPMENT IN U.S.A. AND RAJGOPALAN SUBMITTED A TECHNICAL REPORT TO INDIAN EXPRESS WHICH, ACCORDING TO DESAI, CONSIDERED THE QEUIPMENT TO BE IN "GOOD CONDITION". DESAI STATED THAT INDIAN EXPRESS, HOWEVER, DECIDED TO OBTAIN A SECOND OPINION FROM THE ORIGINAL MANUFACTURER OF THE EQUIPMENT HOE WOOD COMPANY OF LONDON. THE MANUFACTURER, ACCORDING TO DESAI, REPORTED THE EQUIPMENT OFFERED BY B.A. MACHINERY AS OBSOLETE FOR USE BY INDIAN EXPRESS. AS A RESULT, THE BUYER BACKED OUT OF THE TRANSACTION
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WHEN THE SALE WAS ABOUT TO CLOSE. DESAI DENIED HAVING MADE ANY COMMITMENT TO B.A. MACHINERY ON HIS OWN OR ON BEHALF OF THE PURCHASER.

3. MR. RAJGOPALAN MADE THE FOLLOWING STATEMENT IN A WRITTEN COMMUNICATION TO US: "I WAS CALLED UPON BY INDIAN EXPRESS TO VISIT USA TO INSPECT THE PRESS AND FURNISH THEM WITH A

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REPORT AS THEIR CONSULTANT. THIS TASK WAS PERFORMED AND THE DECISION WHETHER OR NOT TO PURCHASE THE PRESS IS THE PREROGATIVE OF INDIAN EXPRESS". HOWEVER, IN AN INFORMAL DISCUSSION WITH US, RAJGOPALAN INDICATED THAT HE WAS IN FAVOR OF PURCHASING THE EQUIPMENT. HE ALSO FURNISHED A PHOTOCOPY OF THE CABLE RECEIVED BY HIM ON JULY 12 FROM B.A. MACHINERY WHICH, INTER ALIA, STATED "MY COMPLAINT WITH B.D. GOENKA NOT YOU". COPIES OF RAJGOPALAN'S LETTER AND FOREGOING CABLE FROM B.A. MACHINERY BEING AIRPOUCHED.

4. WE ARE ATTEMPTING TO CONTACT MR. GOENKA OF INDIAN EXPRESS TO OBTAIN HIS VIEWS IN THIS MATTER.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
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Control Number: n/a
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Draft Date: 24 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
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Enclosure: n/a
Executive Order: N/A
Errors: N/A
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TAGS: BDIS, BFOL, IN
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Type: TE
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